

JUL 27 2006

PTO/SB/21 (09-04)

Approved for use through 09/30/2008. OMB 0851-0031
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission 13

Application Number	09/853,428
Filing Date	May 10, 2001
First Named Inventor	Brainerd
Art Unit	3739
Examiner Name	Gibson, Roy Dash
Attorney Docket Number	


ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.62 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): credit card auth; 2 power of attorney forms; declaration; 2 petition statements, declaration copy & power of attorney copy
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Remarks

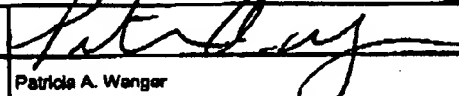
This transmittal is being faxed to: 571-273-8300. Please send a confirmatory fax to: 877-388-2792. All documents relate to application 09/853,428 (currently listed as abandoned). Please apply \$130.00 to the Amendment and Petition to Add Inventor. An assignment is also being filed separately.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Wenger Law Offices
Signature	
Printed name	Patricia A. Wenger
Date	July 27, 2006
Reg. No.	42,216

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460 on the date shown below:

Signature	
Typed or printed name	Patricia A. Wenger
Date	July 27, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application forms to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1460, Alexandria, VA 22313-1460. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

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PTO/BB/17 (04-05)

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PROCESSING FEE
Under 37 CFR 1.17(i)
TRANSMITTAL
(Fees are subject to annual revision)Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	09/853,428
Filing Date	May 10, 2001
First Named Inventor	Brainard
Art Unit	8739
Examiner Name	Gibson, Roy Dean
Attorney Docket Number	

Enclosed is a paper filed under 37 CFR 1.48 that requires a processing fee (37 CFR 1.17(i)).
Payment of \$ 130.00 is enclosed.

This form should be included with the above-mentioned paper and faxed or mailed to the Office using the appropriate Mail Stop, if applicable. For transmittal of petition fees under 37 CFR 1.17(i), (g) or (h), see form PTO/SB/17p.

Payment of Fees (small entity amounts are NOT available for the processing fees)

☐ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. _____:

☐ processing fee under 37 CFR 1.17(i) ☐ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ _____ is enclosed.☒ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.**Processing Fees under 37 CFR 1.17(i): Fee \$130 Fee Code 1803 for all,**
Except for § 1.221 papers (Fee Code 1803)

For papers filed under:

- § 1.28(c)(3) - for processing a non-finalized fee deficiency based on an error in small entity status.
- § 1.41 - for supplying the name or names of the inventor or inventors after the filing date without an oath or declaration as prescribed by § 1.53, except in provisional applications.
- § 1.48 - for correcting inventorship, except in provisional applications.
- § 1.52(d) - for processing a nonprovisional application filed with a specification in a language other than English.
- § 1.53(b)(3) - to convert a provisional application filed under § 1.53(c) into a nonprovisional application under § 1.53(b).
- § 1.66 - for entry of late priority papers.
- § 1.71(g)(2) - to enter an amendment to the specification for purposes of 35 U.S.C. 103(c)(2) if not filed within the cited time periods.
- § 1.99(a) - for processing a belated submission under § 1.99.
- § 1.103(b) - for requesting limited suspension of action, continued prosecution application (§ 1.53(d)).
- § 1.103(c) - for requesting limited suspension of action, request for continued examination (§ 1.114).
- § 1.103(d) - for requesting deferred examination of an application.
- § 1.217 - for processing a redacted copy of a paper submitted in the file of an application in which a redacted copy was submitted for the patent application publication.
- § 1.221 - for requesting voluntary publication or republication of an application. Fee Code 1803
- § 1.291(c)(5) - for processing a second or subsequent protest by the same real party in interest.
- § 1.487(d) - for filing an oath or declaration pursuant to 35 U.S.C. 371(c)(4) naming an inventive entity different from the inventive entity set forth in the international stage.
- § 3.81 - for a patent to issue to assignee, assignment submitted after payment of the issue fee.



Signature

Patricia A. Wenger

Typed or printed name

July 27, 2006

Date

42,218

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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07/28/2006 MBINAS 8888888 89853428

01 FC:1888

138.00 OP

ID:

JUL 27 '06

9:01 No.001 P.05

Application No. 091853, 428

Under the Patent and Trademark Act of 1980, no fee is required to receive a copy of information in this form. A fee is required to receive a copy of this form.

**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	091853, 428
Filing Date	May 10, 2001
First Named Inventor	Brainerd
Title	Photoreceptor System for Masking
Art Unit	3739
Examiner Name	Gibson, Roy Dean
Attorney Block Number	

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I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint:

☒ Practitioner associated with the Customer Number:

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☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office pertaining thereto.

Please recognize or change the correspondence address for the above-identified application to:

☒ The address associated with the above-mentioned Customer Number:

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Telephone

Email

I am:

☒ Applicant/Inventor.☐ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(c) is enclosed. (Form PTO/SB/84)

SIGNATURE of Applicant or Assignee of Record

Signature	<i>George C. Brainerd</i>	Date	7/27/06
Name	George Brainerd	Telephone	215-965-7144
Title and Company	Inventor		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representatives(s) are required. Submit multiple forms if more than one signature is required, one below.

☒ Total of 2 forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a patent for the invention it is for and by the USPTO to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 minutes to complete, including reviewing, preparing, and submitting the completed application form to the USPTO. There will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22315-1480. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22315-1480.

If you need assistance in completing this form, call 1-800-PTO-0100 and select option 2.

PTO/SB/01 (10-05)

Approved for use through 07/31/2006. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration
Submitted
With Initial
Filing

OR

☒ Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket
Number

First Named Inventor

Brinard

COMPLETE IF KNOWN

Application Number

09/853,428

Filing Date

May 10, 2001

Art Unit

3739

Examiner Name

Gibson, Roy Dean

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I hereby declare that:

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Photoreceptor System for Melatonin Regulation and Phototherapy

(Title of the invention)

the specification of which

☐ is attached hereto

OR

☒

was filed on (MM/DD/YYYY)

05/10/2001

as United States Application Number or PCT International

Application Number

09/853,428

and was amended on (MM/DD/YYYY)

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.

[Page 1 of 2]

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1480, Alexandria, VA 22313-1480. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1480, Alexandria, VA 22313-1480.
If you need assistance completing the form, call 1-800-PTO-0199 and select option 2.

Application No. 09/853,428

PTO/BB01 (10-05)

Approved for use through 07/31/2006. OMB 0551-0002
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DECLARATION -- Utility or Design Patent Application

Direct all
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Country

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WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR:



A petition has been filed for this unsigned inventor

Given Name (first and middle (if any))

Family Name or Surname

Gena

Glickman

Inventor's Signature

Date

Gena Glickman

7/26/2006

Residence: City

State

Country

Citizenship

San Diego

CA

U.S.A.

U.S.A.

Mailing Address

1631 State Street, Apt. 4

City

State

Zip

Country

San Diego

CA

92101

U.S.A.

☐ Additional inventors or a legal representative are being named on the Supplemental sheet(s) PTO/SB02A or 021R attached hereto.

(Form 2 of 2)

PTO/SB/81 (01-08)

Approved for use through 12/31/2008. OMB 0881-0035

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POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM

Application Number	09/853,428
Filing Date	May 10, 2001
First Named Inventor	Brinhard
Title	Photoreceptor System for Melatonin
Art Unit	3739
Examiner Name	Gibson, Roy Dean
Attorney Docket Number	

I hereby revoke all previous powers of attorney given in the above-identified application.

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I hereby appoint:

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Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

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☐ Firm or Individual Name

Address

City

State

Zip

Country

Telephone

Email

I am the:

☒ Applicant/Inventor.☐ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/94)

SIGNATURE of Applicant or Assignee of Record

Signature	<i>Gena Glickman</i>	Date	7/26/2006
Name	Gena Glickman	Telephone	617-697-6917
Title and Company	Inventor		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 2 forms are submitted.

This collection of information is required by 37 CFR 1.31, 1.32 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1400, Alexandria, VA 22313-1400. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1400, Alexandria, VA 22313-1400.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NO.: 09/853,428 : FILING DATE: May 10, 2001

ART UNIT: 3739 : EXAMINER: Gibson, Roy Dean

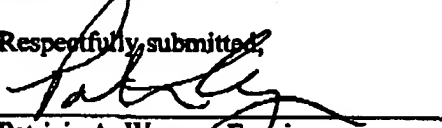
FIRST NAMED INVENTOR: Brainard

TITLE: Photoreceptor System for Melatonin Regulation and Phototherapy

Commissioner for Patents
Alexandria, VA 22313**AMENDMENT, PETITION AND FEE TO ADD TO ORIGINALLY
ERRONEOUSLY NAMED INVENTORS IN DECLARATION (37 C.F.R. § 1.48(a))**

1. This amendment and petition is to correct the incorrect original naming of inventors as set forth in the declaration of May 10, 2001, pursuant to 37 C.F.R. § 1.48(a)(1).
2. Add the previously unnamed person, Gena Glickman, as inventor of this application.
3. A statement from Gena Glickman is attached stating that the error in inventorship occurred without deceptive intent on her part 37 C.F.R. § 1.48(a)(2).
4. A declaration from the other inventor, George Brainard, is attached stating that the error in inventorship occurred without deceptive intent on his part 37 C.F.R. § 1.48(a)(3).
5. A copy of a Declaration for Utility Patent Application executed by Gena Glickman is attached.
6. A copy of a Power of Attorney and Correspondence Address Indication Form executed by Gena Glickman is attached.
5. A fee in the amount of \$130.00 is paid herewith.

Respectfully submitted,


Patricia A. Wenger, Esquire
Registration No. 42,278; Customer Number 44321
Wenger Law Offices
201 North Jackson Street
Media, PA 19063
610-566-3040
pwenger@legalpatent.com

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.: 09/853,428
FILING DATE: May 10, 2001
FIRST NAMED INVENTOR: Brainard
ART UNIT: 3739
EXAMINER: Gibson, Roy Dean
TITLE: Photoreceptor System for Melatonin Regulation and
Phototherapy

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Commissioner for Patents
Alexandria, VA 22313

Sir:

STATEMENT FROM GENA GLICKMAN

I, Gena Glickman, hereby declare as follows:

1. I am an inventor for the above-identified patent application.
2. I reside at 1631 State Street, Apt. 4, San Diego, CA 92101.
3. The error in inventorship occurred without deceptive intent on my part.
4. I hereby further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Dated: 7/26/2006

Gena Glickman
Gena Glickman

PTO/SB/01 (01-05)

Approved for use through 12/31/2008. OMB 0801-0035

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**POWER OF ATTORNEY
and
CORRESPONDENCE ADDRESS
INDICATION FORM**

Application Number	09/653,428
Filing Date	May 10, 2001
First Named Inventor	Brainard
Title	Photoreceptor System for Multicolor
Art Unit	3739
Examiner Name	Gibson, Roy Dean
Attorney Docket Number	

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I hereby revoke all previous powers of attorney given in the above-identified application.

I hereby appoint

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☐ Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

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OR

☐ The address associated with Customer Number:

OR

☐ Firm or Individual Name

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Telephone

Email

I am the:

☒ Applicant/Inventor.☐ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.71(b) is enclosed. (Form PTO/SB/06)

SIGNATURE of Applicant or Assignee of Record

Signature	<i>Jana Glickman</i>	Date	7/26/2006
Name	Jana Glickman	Telephone	613-697-6917
Title and Company	Inventor		

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.51, 1.52 and 1.53. The information is required to obtain or retain a benefit by the public which is to the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1400, Alexandria, VA 22313-1400.